

LITTER ACT 2008

**Litter Offence (Fixed Penalty Notice)  
Regulations 2018**

IN exercise of the powers conferred upon me by sections 22(2) and 27 of the Litter Act 2008, I hereby make these Regulations—

*Short title and commencement*

1.—(1) These Regulations may be cited as the Litter Offence (Fixed Penalty Notice) Regulations 2018.

(2) These Regulations are deemed to have come into force on the date the Litter Act 2008 came into force.

*Interpretation*

2.—(1) In these Regulations, unless the context otherwise requires, “Act” means the Litter Act 2008.

(2) In these Regulations, words and phrases have the same meaning as under the Act unless the context otherwise requires.

*Fixed penalty notice*

3.—(1) A fixed penalty notice to be served under section 22(1) of the Act is to be in the form prescribed in the Schedule.

(2) Nothing in subregulation (1) affects the validity of a fixed penalty notice issued prior to the commencement of these Regulations and any such fine is deemed to be paid or payable in accordance with the law applicable at the time such fixed penalty notice was issued.

*Repeal*

4. The Litter Offence (Prescribed Notice) Regulations 1991 and the Litter (Prescribed Form) Regulations 1997 are revoked.

Made this 27th day of February 2018.

P. K. BALA  
Minister for Environment

SCHEDULE  
(Regulation 3)

No XXXX

**FIXED PENALTY NOTICE**

To: ..... of .....  
**Take notice** that you are alleged to have breached section(s) ..... of the Litter Act 2008 in that you  
(state the nature of the litter or as the case may be) .....  
at ..... on the ..... day of ..... 20 ..... at about ..... am/pm.

The fixed penalty is forty dollars (\$40.00 ) and if you admit the offence, you must within 30 days after the date  
upon which this notice was served on you, pay the \$40.00 at the cashier's office, .....  
(public authority) between the hours of 8.30am and 1.30pm on any day from Monday to Friday and thereupon  
all liabilities for this offence will be discharged and no further action will be taken.

**(Fine must not be paid to the booking officer under any circumstances)**

**NOTICE TO ATTEND COURT**

However, if you deny the charges or fail to pay the fixed penalty of \$40.00, **YOU ARE HEREBY SUMMONED**  
to appear at the .....Magistrates Court on the ..... day of ..... 20.....  
at ..... am/pm to answer the charge(s) set out hereunder.

**Particulars of offence(s)**

..... of .....  
did on the ..... day of ..... 20..... at about ..... am/pm at .....  
in the ..... Division, deposit and abandon litter, namely .....  
.....  
.....

**In a public place namely** .....

Dated at ..... this ..... day of ..... 20 .....

**Litter prevention officer**

**Public authority**

**NOTE TO THE OFFENDER**

- 1. If you fail to pay the \$40.00 spot fine, the Court may, if you are found guilty, impose a penalty exceeding  
the fixed penalty of \$40.00 as prescribed under the provisions of the Litter Act 2008.
- 2. Your personal attendance in Court will be excused if you—
  - (a) admit the offence and plead guilty in writing; or
  - (b) appear through your lawyer who is dully admitted in Fiji.

(for official use only)

**LITTER ACT 2008**  
(Section 22)

Revenue Receipt No: .....

No XXXX

Date: ...../ ...../ .....

Signature of cashier

..... NB: Detach and return with payment to cashier .....

**AFFIDAVIT OF SERVICE**

I ..... of ..... make oath and say that I did on the ..... day of ..... 20 ..... serve ..... at ..... by leaving a true copy of this notice with the above named.

Sworn at ..... }  
this ..... day of ..... } .....  
20 ..... }

Before me:

.....  
Justice of the Peace/Commissioner for Oaths

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**WRITTEN PLEA OF GUILTY**

I/we .....  
being the person named overleaf hereby enter a plea of guilty to the charge(s) specified.

Signature(s): .....

Date: ..... / ..... / .....